

**Beaver County
Planning & Zoning Commission
June 21, 2016
7:30 p.m.**

Minutes

Attendance: Darrel Davis- Chairman, Rowland Yardley, Walter Schofield, Drew Coombs, Kolby Blackner, Jared Gillins representing the Building Department, Von Christiansen as Attorney and Kyle Blackner as Zoning Administrator.

Visitors: Justin Finch, Kara Finch, Weston Finch, Cole Finch, Larry Whittaker, Adrienne Whittaker, Lauri Bozarth, William Bozarth, and Scott Albrecht.

Called to Order at 7:32 p.m.

MINUTES:

Minutes from the May 17, 2016 meeting were reviewed. Rowland Yardley made a motion to approve the minutes. Walter Schofield seconded the motion. Motion passed unanimous.

CONDITIONAL USE PERMIT:

Justin & Kara Finch came before the board seeking a Conditional Use Permit for a Feedlot, Truck Parking, and to drill a well for a future residence in Sec 19, T28S, R10W in an A-5 District. They currently own five semi trucks used to ship hay, plastic pipe and road materials. They hope to buy a few cows and other farm animals, drill a well, and eventually build a home on this property. The plan consists of 2-3 acres for pasture/feedlot, gravel pad for truck parking and a home on the west side of the property. Power & water will both be required. The nearest neighbors are 75 feet away. The meeting was opened for comments from neighboring landowners. William & Lori Bozarth showed a picture of dust from the property and complained about semi trucks running all night, keeping them awake. They stated that they live in a subdivision zoned for housing and it shouldn't be used for commercial ventures. Mr. Bozarth said they had no interest in compromising or setting conditions to improve their current situation. Larry & Adrienne Whittaker said that previously, they didn't have a problem w/ two trucks neighboring them, but now that it is a commercial business, would not like it next to them. They would approve of building a home, and having animals, but suggest they take the truck parking elsewhere. They are suggesting that a commercial business should not be located in an Agriculture District and are concerned about how it may negatively affect their property values. Mr. Blackner reviewed the list of conditional uses currently allowed in Agriculture Districts. Public comment was closed. The board discussed setting conditions that would meet both the needs of the business and accommodating the neighbors' concerns. They discussed setting limits of 40 head of cattle and a limit of 5 trucks parked at any one time. Mr. Finch has asked his drivers to not idol their trucks while parked on the property. Two letters were read from property owners that were not able to attend. Mr. Blackner said he also received two calls from citizens who were against issuing the permit. Planning & Zoning Board Members felt they should approve the permit as the uses are similar with that which is currently allowed in the A5 District. Drew Coombs made a motion to approve the permit w/ no conditions imposed. Rowland Yardley seconded the motion. Walter Schofield and Kolby Blackner voted against. Due to a tie vote, Chairman Daryl Davis voted for and the motion passed.

NOTIFICATION/DISTANCE REQUIREMENTS:

The board reviewed the current CUP distance/notification requirements and discussed the proposed changes. In most instances, they found them to be excessive.

Kolby Blackner made a motion to recommend we accept the proposed distance changes, with the exception of eliminating the property owner notification & signature required for the dog kennels permit. There was not a second, so the motion died.

Kolby Blackner made a motion to discontinue all notifications, with the exception of rezonements, and reducing the screens and /or crushers notification to 1½ miles. There was not a second, so the motion died.

Kolby Blackner made a motion to scrap all current notification requirements and proposed changes to Dog Kennels, Home Occupation in an Ag zone, and all uses in an Ag Zone and to reduce Screens and/or Crushers notification requirements to 1½ miles. Rowland Yardley seconded the motion. Drew Coombs and Walter Schofield were opposed. Due to a tie vote, Chairman Daryl Davis voted for, and the motion passed. A public hearing will be scheduled.

QUALIFYING REGULATIONS:

We discussed the need to compose a list of Qualifying Regulations to be added to our Zoning Ordinance. County Attorney, Von Christiansen, proposed that Mr. Blackner compile a list of suggestions to bring to the public hearing for review.

Kolby Blackner made a motion to adjourn. Rowland Yardley seconded the motion. Motion passed unanimously. The meeting was concluded at 9:51 p.m.

Minutes approved on _____.

Darrel Davis - Chairman